

*Australia*¹

TENURE AND DISPOSITION OF REAL AND PERSONAL PROPERTY

Convention signed at Washington for the United States, the United Kingdom, Australia, and New Zealand May 27, 1936, supplementing and amending convention of March 2, 1899

Senate advice and consent to ratification June 13, 1938

Ratified by the President of the United States July 5, 1938

Ratified by the United Kingdom in respect of Great Britain and Northern Ireland August 2, 1938; in respect of New Zealand December 18, 1939; in respect of Australia September 2, 1940

Ratifications exchanged at Washington March 10, 1941

Entered into force March 10, 1941

Proclaimed by the President of the United States March 17, 1941

55 Stat. 1101; Treaty Series 964

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, being desirous of amending Article IV and the second paragraph of Article VI of the Convention concerning the tenure and disposition of real and personal property signed at Washington on the 2nd March, 1899,² have agreed to conclude a supplementary Convention for that purpose and have appointed as their Plenipotentiaries:

The President of the United States of America:

Cordell Hull, Secretary of State of the United States of America; and

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India,

For Great Britain and Northern Ireland:

¹ Certain agreements between the United States and the United Kingdom were, or are, applicable also to Australia. See *post*, UNITED KINGDOM.

² TS 146, *post*, UNITED KINGDOM.

The Right Honorable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington;

For the Commonwealth of Australia:

The Right Honorable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington;

For the Dominion of New Zealand:

The Right Honorable Sir Ronald Lindsay, P.C., G.C.M.G., K.C.B., C.V.O., his Ambassador Extraordinary and Plenipotentiary at Washington;

Who, having communicated their full powers, found in due form, have agreed as follows:

ARTICLE I

As from the date of the entry into force of the present Convention, the following provisions shall be substituted for Article IV and the second paragraph of Article VI of the Convention concerning the tenure and disposition of real and personal property signed at Washington on the 2nd March, 1899:

“ARTICLE IV

“1. The present Convention shall not be applicable to any colony or protectorate of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, nor to any other territory administered under the authority either of his Government in the United Kingdom of Great Britain and Northern Ireland, or of his Government in the Commonwealth of Australia, or of his Government in New Zealand, including any mandated territory in respect of which the mandate is exercised by his Government in the United Kingdom, his Government in the Commonwealth of Australia or his Government in New Zealand, unless a notice to that effect has been given at any time while the present Convention is in force to the Government of the United States of America by His Majesty's Representative at Washington. The Convention shall apply to any territory in respect of which such notice has been given as from the date of such notice.

“2. The present Convention shall not be applicable to any overseas territory under the authority of the United States of America unless a notice to that effect has been given at any time while the Convention is in force by the Representative of the United States in London. The Convention shall apply to any territory in respect of which such notice has been given as from the date of such notice.

“3. Either High Contracting Party may by a notification through the diplomatic channel terminate the application of the Convention to any territory to which it is applicable or has become applicable under either of the preceding paragraphs of this article, and the Convention shall cease to apply

to any territory in respect of which such notification is made 12 months after the date of the receipt of the notification.

“4. The expression ‘subjects or citizens’ of one or the other High Contracting Party in the present Convention shall be deemed to mean (a) in relation to His Majesty the King, all subjects of His Majesty and all persons under His Majesty’s protection belonging to territories to which the Convention applies, (b) in relation to the United States of America all citizens of the United States and all persons enjoying the protection of the United States belonging to territories under the authority of the United States to which the Convention applies.”

ARTICLE II

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate thereof and by His Majesty the King. The ratifications shall be exchanged at Washington and the Convention shall take effect as from the date of the exchange of ratifications.

In witness whereof the above mentioned Plenipotentiaries have signed the present Convention and have thereunto affixed their seals.

Done in duplicate at Washington, the twenty-seventh day of May, one thousand nine hundred and thirty-six.

For the United States of America:

CORDELL HULL

[SEAL]

For Great Britain and Northern Ireland:

R. C. LINDSAY

[SEAL]

For the Commonwealth of Australia:

R. C. LINDSAY

[SEAL]

For the Dominion of New Zealand:

R. C. LINDSAY

[SEAL]